



Daily Digest

Federal Communications Commission
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Vol. 23 No. 128

July 9, 2004

THE FOLLOWING ITEMS WERE ADOPTED AT THE JULY 8, 2004, COMMISSION MEETING AND RELEASED LATER THAT DAY

NEWS RELEASES

FCC CHANGES RULES TO PROMOTE USE OF UNLICENSED BROADBAND SERVICE IN RURAL AREAS. FCC changes rules to promote use of unlicensed broadband service in rural areas. News Release. (Dkt No 03-201). Adopted: 07/08/2004. News Media Contact: Bruce Romano at (202) 418-2124 OET. Contact Neal L. McNeil at (202) 418-2408 [DOC-249434A1.doc](#) [DOC-249434A2.doc](#) [DOC-249434A1.pdf](#) [DOC-249434A2.pdf](#) [DOC-249434A1.txt](#) [DOC-249434A2.txt](#)

FCC ADOPTS SOLUTION TO INTERFERENCE PROBLEM FACED BY 800 MHZ PUBLIC SAFETY RADIO SYSTEMS. Band Reconfiguration and Enhanced Best Practices Are Key Elements. News Release. (Dkt No 95-18 , 00-258). Adopted: 07/08/2004. News Media Contact: Lauren Patrich at (202) 418-7944, email: Lauren.Patrich@fcc.gov WTB. Contact Roberto Mussenden or Brian Marengo at (202) 418-0680, Jamison Prime or Priya Shrinivasan at (202) 418-2472 [DOC-249414A1.doc](#) [DOC-249414A2.doc](#) [DOC-249414A3.doc](#) [DOC-249414A4.doc](#) [DOC-249414A5.doc](#) [DOC-249414A1.pdf](#) [DOC-249414A2.pdf](#) [DOC-249414A3.pdf](#) [DOC-249414A4.pdf](#) [DOC-249414A5.pdf](#) [DOC-249414A1.txt](#) [DOC-249414A2.txt](#) [DOC-249414A3.txt](#) [DOC-249414A4.txt](#) [DOC-249414A5.txt](#)

FCC ADOPTS MEASURES TO INCREASE RURAL INVESTMENT AND FACILITATE DEPLOYMENT OF SPECTRUM-BASED SERVICES IN RURAL AREAS. Bar to Cellular Cross-Interests in Rural Areas Eliminated; Licensees May Grant Security Interest in License to Rural Utilities Service. News Release. (Dkt No 01-14 , 02-381). Adopted: 07/08/2004. News Media Contact: Lauren Patrich at (202) 418-7944, email: Lauren.Patrich@fcc.gov WTB. Contact Nicole McGinnis at (202) 418-0317, TTY: (202) 418-7233, email: Nicole.McGinnis@fcc.gov [DOC-249405A1.doc](#) [DOC-249405A2.doc](#) [DOC-249405A3.doc](#) [DOC-249405A4.doc](#) [DOC-249405A1.pdf](#) [DOC-249405A2.pdf](#) [DOC-249405A3.pdf](#) [DOC-249405A4.pdf](#) [DOC-249405A1.txt](#) [DOC-249405A2.txt](#) [DOC-249405A3.txt](#) [DOC-249405A4.txt](#)

FCC EXPANDS SPECTRUM LEASING RULES AND SPEEDS PROCESSING TO CREATE ADDITIONAL OPPORTUNITIES FOR ACCESS TO SPECTRUM THROUGH SECONDARY MARKETS. Expanded the availability of spectrum leasing to more wireless services and devices, further streamlined the processing of spectrum lease applications and notifications, as well as traditional license transfers and assignments. News Release. (Dkt No 00-230). Adopted: 07/08/2004. News Media Contact: Israel Balderas at (202) 513-4531 or Lauren Patrich 419-7944 WTB. Contact Paul Murray at (202) 418-7240, Paul Murray (202) 418-7240, e-mail: Paul.Murray@fcc.gov, TTY: at (202) 418-7233 [DOC-249427A1.doc](#) [DOC-249427A2.doc](#) [DOC-249427A3.doc](#) [DOC-249427A4.doc](#) [DOC-249427A5.doc](#) [DOC-249427A6.doc](#) [DOC-249427A1.pdf](#) [DOC-](#)

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THE FOLLOWING ITEMS ARE DATED AND RELEASED TODAY:

NEWS RELEASES

FCC AND AT&T ENTER INTO CONSENT DECREE CONCERNING DO-NOT-CALL ISSUES. News Release. News Media Contact: Janice Wise at (202) 418-8165 EB. Contact Janice Wise at (202) 418-8165 or Kurt Schroeder at (202) 418-0966, TTY: 1 (888) 835-5322 [DOC-249439A1.doc](#) [DOC-249439A1.pdf](#) [DOC-249439A1.txt](#)

FCC CALENDAR OF EVENTS. News Release. News Media Contact: Sharon Hurd at (202) 418-0504 OMR [DOC-249483A1.doc](#) [DOC-249483A1.pdf](#) [DOC-249483A1.txt](#)

PUBLIC NOTICES

Released: 07/09/2004. PETITION FOR DECLARATORY RULING FILED REGARDING PROVISION OF VIDEO RELAY SERVICE (VRS) VIDEO MAIL. (DA No. 04-2062). (Dkt No 03-123). Comments Due: 08/15/2004. Reply Comments Due: 08/30/2004. CGB. Contact: Cheryl King at (202) 418-2284, email: Cheryl.King@fcc.gov, TTY: (202) 418-0416 [DA-04-2062A1.doc](#) [DA-04-2062A1.pdf](#) [DA-04-2062A1.txt](#)

Released: 07/09/2004. THE FEDERAL COMMUNICATIONS COMMISSION REMINDS TRS PROVIDERS OF UPCOMING DEADLINES CONCERNING CAPTIONED TELEPHONE VCO SERVICE. (DA No. 04-2061). (Dkt No 98-67). CGB. Contact: Traci Randolph at (202) 418-0569, email: Traci.Randolph@fcc.gov, TTY: (202) 418-0537 [DA-04-2061A1.doc](#) [DA-04-2061A1.pdf](#) [DA-04-2061A1.txt](#)

Report No: TEL-00811S Released: 07/09/2004. STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING. IB. Contact: (202) 418-0270 [DOC-249442A1.pdf](#) [DOC-249442A1.txt](#)

Report No: SAT-00225 Released: 07/09/2004. POLICY BRANCH INFORMATION. (DA No. 04-2075) Actions Taken. IB. Contact: (202) 418-0719, TTY: (202) 418-2555 [DA-04-2075A1.pdf](#) [DA-04-2075A1.txt](#)

Report No: SAT-00224 Released: 07/09/2004. POLICY BRANCH INFORMATION Satellite Space Applications Accepted for Filing. IB. Contact: (202) 418-0719, TTY: (202) 418-2555 [DOC-249465A1.pdf](#) [DOC-249465A1.txt](#)

Report No: 0111 Released: 07/09/2004. SPECIAL RELIEF AND SHOW CAUSE PETITIONS. MB. Contact: (202) 418-7200 [DOC-249403A1.doc](#) [DOC-249403A1.pdf](#) [DOC-249403A1.txt](#)

Report No: 45773 Released: 07/09/2004. BROADCAST ACTIONS. MB [DOC-249376A1.txt](#) [DOC-249376A1.pdf](#)

Report No: 25773 Released: 07/09/2004. BROADCAST APPLICATIONS. MB [DOC-249378A1.txt](#) [DOC-249378A1.pdf](#)

Released: 07/09/2004. TECHNOLOGICAL ADVISORY COUNCIL (TAC) TO HOLD MEETING ON JULY 28, 2004 AT 10:00 A.M. (DA No. 04-2064). OET. Contact: Jeffery Goldthorp at (202) 418-1096, email: Jeffery Goldthorp@fcc.gov, TTY: (202) 418 2989, FAX: (202) 418-1944 [DA-04-2064A1.doc](#) [DA-04-2064A1.pdf](#) [DA-04-2064A1.txt](#)

Released: 07/09/2004. NOTICE OF PROHIBITED PRESENTATIONS IN THE MATTER OF IMPROVING PUBLIC SAFETY COMMUNICATIONS IN THE 800 MHZ BAND (WT DOCKET NO. 02-55). (DA No. 04-2072). OGC [DA-04-2072A1.doc](#) [DA-04-2072A1.pdf](#) [DA-04-2072A1.txt](#)

Released: 07/09/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (1 OF 2). OMD. Contact: Helen Abraham @ (202) 418-0310 [DOC-249424A1.pdf](#) [DOC-249424A1.txt](#)

Released: 07/09/2004. EX PARTE PRESENTATIONS AND POST-REPLY COMMENT PERIOD FILING IN PERMIT-BUT-DISCLOSURE PROCEEDINGS (2 OF 2). OMD. Contact: Helen Abraham @ (202) 418-0310 [DOC-249425A1.pdf](#) [DOC-249425A1.txt](#)

Released: 07/09/2004. TARIFF TRANSMITTAL PUBLIC REFERENCE LOG. WCB. Contact: (202) 418-0270 [DOC-249466A1.pdf](#) [DOC-249466A1.txt](#)

Released: 07/09/2004. FCC ANNOUNCES RELEASE OF FCC FORM 477 (LOCAL COMPETITION AND BROADBAND REPORTING FORM) FOR THE SEPTEMBER 1, 2004 FILING. (DA No. 04-2077). WCB. Contact: (202) 418-0940 or TTY: (202) 418-0484 [DA-04-2077A1.doc](#) [DA-04-2077A1.pdf](#) [DA-04-2077A1.txt](#)

Released: 07/09/2004. PARTIES ARE INVITED TO COMMENT ON CAROLINA WEST WIRELESS' PETITION FOR DESIGNATION AS AN ELIGIBLE. (DA No. 04-2067). (Dkt No 96-45) TELECOMMUNICATIONS CARRIER IN THE STATE OF NORTH CAROLINA. WCB. Contact: Thomas Buckley at (202) 418-7400, TTY: (202) 418-0484 [DA-04-2067A1.doc](#) [DA-04-2067A1.pdf](#) [DA-04-2067A1.txt](#)

Report No: CWS-04-48 Released: 07/09/2004. ANTENNA STRUCTURE REGISTRATION SERVICE INFORMATION. WTB [DOC-249321A1.pdf](#) [DOC-249321A1.txt](#)

Report No: CWS-04-47 Released: 07/09/2004. ANTENNA STRUCTURE REGISTRATION SERVICE INFORMATION. WTB [DOC-249431A1.pdf](#) [DOC-249431A1.txt](#)

Released: 07/09/2004. ERRATUM - THE WIRELESS TELECOMMUNICATIONS BUREAU EXTENDS THE FREEZE ON HIGH POWER USE OF THE 460-470 MHZ BAND OFFSET CHANNELS UNTIL DECEMBER 31, 2005 This Public Notice corrects DA 04-2071, released 07/08/2004. WTB. Contact: Freda Lippert Thyden at (202) 418-0627, email: Freda.Thyden@fcc.gov, TTY: (202) 418-7233 [DOC-249481A1.doc](#) [DOC-249481A1.pdf](#) [DOC-249481A1.txt](#)

TEXTS

AT&T CORPORATION, APPARENT LIABILITY FOR FORFEITURE. FCC and AT&T Corporation enter into \$490,000 Consent Decree concerning company-specific Do-Not-Call requirements and related matters. Adopted a Consent Decree in this proceeding. Action by: the Commission. Adopted: 07/08/2004 by ORDER. (FCC No. 04-169). EB [FCC-04-169A1.doc](#) [FCC-04-169A1.pdf](#) [FCC-04-169A1.txt](#)

SUNBELT TELEVISION, INC. Issued a monetary forfeiture in the amount of \$2,000 to Sunbelt Television, Inc., licensee of station KHIZ(TV) for violation of Section 11.35(a) and 11.61(a)(1) of the Commission's Rules. Action by: Chief, Enforcement Bureau. Adopted: 07/07/2004 by Forfeiture Order. (DA No. 04-2043). EB [DA-04-2043A1.doc](#) [DA-04-2043A1.pdf](#) [DA-04-2043A1.txt](#)

DANIEL GRANDA. Issued a monetary forfeiture in the amount of \$11,000 to Daniel Granda, Amateur radio station licensee for failure to respond to official Commission correspondence and causing intentional interference to Amateur radio communications. Action by: Chief, Enforcement Bureau. Adopted: 07/07/2004 by Forfeiture Order. (DA No. 04-2042). EB [DA-04-2042A1.doc](#) [DA-04-2042A1.pdf](#) [DA-04-2042A1.txt](#)

STANLEY MARK MAYO. Issued a monetary forfeiture in the amount of \$20,000 to Stanley Mark Mayo, for operation of a radio station on the frequencies 660 kHz and 91.3 MHz without FCC authorization in violation of Section 301 of the Communications Act of 1934, as amended. Action by: Chief, Enforcement Bureau. Adopted: 07/07/2004 by Forfeiture Order. (DA No. 04-2041). EB [DA-04-2041A1.doc](#) [DA-04-2041A1.pdf](#) [DA-04-2041A1.txt](#)

RAMAR COMMUNICATIONS II, LTD. V. DIRECTV, INC. Granted the complaint. Action by: Deputy Chief, Media Bureau. Adopted: 07/02/2004 by MO&O. (DA No. 04-2037). MB [DA-04-2037A1.doc](#) [DA-04-2037A1.pdf](#) [DA-04-2037A1.txt](#)

MINORITY TELEVISION PROJECT, INC. V. COMCAST CABLE COMMUNICATIONS, INC. Denied KMTP's complaint. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 07/06/2004 by MO&O. (DA No. 04-2036). MB [DA-04-2036A1.doc](#) [DA-04-2036A1.pdf](#) [DA-04-2036A1.txt](#)

FM TABLE OF ALLOTMENTS, PARKER, AZ. Proposed Amendment of FM Table of Allotments for this community. (Dkt No. 04-252). Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 08/30/2004. Reply Comments Due: 09/14/2004. Adopted: 07/08/2004 by NPRM. (DA No. 04-2068). MB [DA-04-2068A1.doc](#) [DA-04-2068A1.pdf](#) [DA-04-2068A1.txt](#)

FM TABLE OF ALLOTMENTS, BIG PINE KEY, FL. Proposed Amendment of FM Table of Allotments for this community. (Dkt No. 04-248). Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 08/30/2004. Reply Comments Due: 09/14/2004. Adopted: 07/07/2004 by NPRM. (DA No. 04-2049). MB [DA-04-2049A1.doc](#) [DA-04-2049A1.pdf](#) [DA-04-2049A1.txt](#)

BEAMSPEED, LLC. Granted the request for a determination of effective competition in Wellton, Arizona filed by BeamSpeed, LLC. Action by: Deputy Chief, Policy Division, Media Bureau. Adopted: 07/08/2004 by MO&O. (DA No. 04-2066). MB [DA-04-2066A1.doc](#) [DA-04-2066A1.pdf](#) [DA-04-2066A1.txt](#)

FM TABLE OF ALLOTMENTS, YAZOO CITY AND BENTON, MS. Proposed Amendment of FM Table of Allotments for these communities. (Dkt No. 04-249). Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 08/30/2004. Reply Comments Due: 09/14/2004. Adopted: 07/07/2004 by NPRM. (DA No. 04-2048). MB [DA-04-2048A1.doc](#) [DA-04-2048A1.pdf](#) [DA-04-2048A1.txt](#)

FM TABLE OF ALLOTMENTS, OREGON AND WASHINGTON. Amended FM Table of Allotments for various communities in Oregon and Washington. (Dkt No. 02-136). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 07/07/2004 by R&O. (DA No. 04-2054). MB [DA-04-2054A1.doc](#) [DA-04-2054A1.pdf](#) [DA-04-2054A1.txt](#)

DIGITAL AUDIO BROADCASTING SYSTEMS AND THEIR IMPACT ON THE TERRESTRIAL RADIO BROADCAST SERVICE. Extended time to file reply comments an additional 16 days. (Dkt No. 99-325). Action by: Chief, Media Bureau. Reply Comments Due: 08/02/2004. Adopted: 07/08/2004 by ORDER. (DA No. 04-2073). MB [DA-04-2073A1.doc](#) [DA-04-2073A1.pdf](#) [DA-04-2073A1.txt](#)

FM TABLE OF ALLOTMENTS, KENO, OR. Dismissed the Petition for Rule Making filed by Renaissance Community Improvement Association, Inc. (Dkt No. 99-275). Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 07/07/2004 by R&O. (DA No. 04-2053). MB [DA-04-2053A1.doc](#) [DA-04-2053A1.pdf](#) [DA-04-2053A1.txt](#)

TV TABLE OF ALLOTMENTS, TV BROADCAST STATIONS, AND SECTION 73.622(B), TABLE OF ALLOTMENTS, DIGITAL TELEVISION BROADCAST STATIONS, CAMPBELLSVILLE AND

BARDSTOWN, KENTUCKY. Denied the Petition for Rulemaking. (Dkt No. 01-148). Action by: Chief, Video Division, Media Bureau. Adopted: 06/21/2004 by R&O. (DA No. 04-88). MB [DA-04-88A1.doc](#) [DA-04-88A1.pdf](#) [DA-04-88A1.txt](#)

RECLASSIFICATION OF LICENSE, STATIONWSTR(FM), SMYRNA, GA. Ordered Jefferson-Pilot Communications Company of Georgia, licensee of StationWSTR(FM), Smyrna, Georgia, to Show Cause why its license should not be modified to specify operation as a Class C0 station on Channel 231C0, Smyrna, Georgia. Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 08/23/2004. Adopted: 07/07/2004 by Order to Show Cause. (DA No. 04-2052). MB [DA-04-2052A1.doc](#) [DA-04-2052A1.pdf](#) [DA-04-2052A1.txt](#)

RECLASSIFICATION OF LICENSE, STATIONKTST(FM), OKLAHOMA CITY, OK. Ordered Clear Channel Broadcasting Licenses, Inc, StationKTST(FM), Oklahoma City, Oklahoma, to Show Cause why its license should not be modified to specify operation as a Class C0 station on Channel 270C0, Oklahoma City, Oklahoma. Action by: Assistant Chief, Audio Division, Media Bureau. Adopted: 07/07/2004 by Order to Show Cause. (DA No. 04-2050). MB [DA-04-2050A1.doc](#) [DA-04-2050A1.pdf](#) [DA-04-2050A1.txt](#)

RECLASSIFICATION OF LICENSE, STATIONKRXO(FM), OKLAHOMA, OK. Ordered Renda Broadcasting Corporation of Nevada, licensee of StationKRXO(FM), Oklahoma City, Oklahoma, to Show Cause why its license should not be modified to specify operation as a Class C0 station on Channel 299C0, Oklahoma City, Oklahoma. Action by: Assistant Chief, Audio Division, Media Bureau. Comments Due: 08/23/2004. Adopted: 07/07/2004 by Order to Show Cause. (DA No. 04-2051). MB [DA-04-2051A1.doc](#) [DA-04-2051A1.pdf](#) [DA-04-2051A1.txt](#)

BELLSOUTH TELECOMMUNICATIONS, INC. REQUEST FOR DECLARATORY RULING THAT STATE COMMISSIONS MAY NOT REGULATE BROADBAND INTERNET ACCESS SERVICES BY REQUIRING BELLSOUTH TO PROVIDE WHOLESALE OR RETAIL BROADBAND SERVICES TO COMPETITIVE LEC UNE VOICE CUSTOMERS. Adopted Protective Order in this proceeding. By Protective Order. (Dkt No. 03-251). Action by: Chief, Wireline Competition Bureau. Adopted: 07/09/2004 by ORDER. (DA No. 04-2074). WCB [DA-04-2074A1.doc](#) [DA-04-2074A1.pdf](#) [DA-04-2074A1.txt](#)

ADDENDA: THE FOLLOWING ITEMS, RELEASED JULY 8, 2004, DID NOT APPEAR IN DIGEST NO. 127:

NEWS RELEASES

PRESS STATEMENT OF CHAIRMAN MICHAEL K. POWELL CONCERNING 800 MHZ ITEM AT JULY 8, 2004, AGENDA MEETING. "IMPROVING PUBLIC SAFETY COMMUNICATIONS IN THE 800 MHZ BAND". STMT. News Media Contact: David Fiske at (202) 418-0513 OCH [DOC-249441A1.doc](#) [DOC-249441A1.pdf](#) [DOC-249441A1.txt](#)

CONSUMER & GOVERNMENTAL AFFAIRS BUREAU REPORTS ON STATUS OF "LANDS OF OPPORTUNITY: BUILDING RURAL CONNECTIVITY". Outreach Campaign to Ensure that Rural America Has Access to Affordable and Quality Telecom Services Marks First Anniversary with Much Success. News Release. Adopted: 07/08/2004. News Media Contact: Rosemary Kimball at (202) 418-0511, email: Rosemary.Kimball@fcc.gov CGB [DOC-249411A1.doc](#) [DOC-249411A1.pdf](#) [DOC-249411A1.txt](#)

FCC ADOPTS ALL-OR-NOTHING RULE TO REPLACE PICK-AND-CHOOSE RULE. Action Permits Competitors to Obtain Mutually Beneficial Concessions to Better Serve End-User Customers. News Release. (Dkt No 01-338). News Media Contact: Diane L. Griffin at (202) 418-7294, email: Diane.Griffin@fcc.gov WCB. Contact Christi Shewman at (202) 418-1686 [DOC-249406A1.doc](#) [DOC-249406A2.doc](#) [DOC-](#)

[249406A3.doc](#) [DOC-249406A4.doc](#) [DOC-249406A5.doc](#) [DOC-249406A1.pdf](#) [DOC-249406A2.pdf](#) [DOC-249406A3.pdf](#) [DOC-249406A4.pdf](#) [DOC-249406A5.pdf](#) [DOC-249406A1.txt](#) [DOC-249406A2.txt](#) [DOC-249406A3.txt](#) [DOC-249406A4.txt](#) [DOC-249406A5.txt](#)

PUBLIC NOTICES

Released: 07/08/2004. THE WIRELESS TELECOMMUNICATIONS BUREAU EXTENDS THE FREEZE ON HIGH POWER USE OF THE 460-470 MHZ BAND OFFSET CHANNELS UNTIL DECEMBER 31, 2005. (DA No. 04-2071). WTB. Contact: Freda Lippert at (202) 418-0627, email: Freda.Thyden@fcc.gov, TTY (202) 418-7233 [DA-04-2071A1.doc](#) [DA-04-2071A1.pdf](#) [DA-04-2071A1.txt](#)